APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,079	03/18/2004	Kia Silverbrook	FPD007US	5189

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BALMAIN, 2041
AUSTRALIA

EXAMINER
CRUZ, IRIANA

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
04/15/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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patentdept@silverbrookresearch.com
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>10 March 2010</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>10-14,17-21,23 and 25-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>10-14,17-21,23 and 25-27</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR 1.114,

and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the

previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 03/09/2010 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claim10-14, 17-21, 23 and 25-27

have been considered but are moot in view of the new ground(s) of rejection.

3.   Applicant argues that the "function caused by the input of the combination

of a specific key is now called by depressing a print button on the printer...". By

interpreting the claims in its broadest way, the limitation is interpreted as a

system where when receiving a print request a simulation of a keyboard

sequence that causes printing is performed. When a print button on the printer is

pressed a printing is caused, pressing the print button performs the same action

as simulating a keyboard sequence that also performs printing and how the

claims are written right now this interpretation is valid, more detailing to the

limitations could help overcome the art. For now the interpretation of the claim

limitations is obvious over Hiroshi.

4.   Examiner refers not only to paragraph 20 but also to paragraphs 20-21,25-

29 and 37-41 of Hiroshi. Hiroshi explains in paragraphs 20-21 how an input

device (like a keyboard) is used for the function to send draw data for printing

and how this function can be now called also from a print driver 120 (print driver

120 in the computer comprises a printing data production part 121, and a print

controller part 122). In paragraphs 25-29, Hiroshi shows how a printer printing

demand menu can be set to accepting a print request from a printer "print" button

54 by just pressing this button in the printer the same function in the print driver

in the computer is performed as that of a keyboard print sequence and the

printing of the data in the application program is done either having the settings

on "printer printing demand/active window" or "printer printing demand

document". Therefor Hiroshi shows the computer program being configured

(print demand set menu), to in response to receiving a print request (pressing the

print button 54 on the printer) the print control program (on the print driver 120)

simulates a keyboard sequence in the application program (calling the same

function that the keyboard sequence performs by the press of button 54), thereby

causing the document to be sent to the printer fro printing (printer printing

demand document).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which

said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 10-11, 14, 17-21, 23 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi (JP Publication Number 2002-312149).

Regarding **Claim 10**, Hiroshi'149 shows a printer configured to receive documents to be printed from a computer system, the printer including an interface **(i.e., printer receives documents from a computer and has an interface. See Paragraphs 2 and 24)** and being configured to: receive, via the interface, input from a user indicative of a print command **(i.e., user send a print request through the interface. See Paragraphs 2, 20 and 24)**; send, from the printer to the computer system, a print request **(i.e., the user presses a print button on the printer and the printer sends the print request to the computer. See Paragraphs 5, 25-31 and 37-41)**; receive, from the computer system and in response to the print request, a document to be printed **(i.e., the data from the active window will be sent to the printer to be printed out. See Paragraphs 5, 25-31 and 37-41); and print the document (i.e., the data from the active window will be sent to the printer to be printed out. See Paragraphs 5, 25-31 and 37-41)**; and the computer system, the computer system running a print control program and at least one application program capable of displaying or generating the document to the user, the computer system being configured and programmed such that, in response to receiving the print request, the print control program simulates a keyboard sequence in the application program, thereby causing the document to be sent to the printer for printing **(i.e., the printer can be set to as soon as the print button of the**

printer is pressed it prints the active window or document in the active window; a user interface displays/expose the printer printing demand screen on the display, when the print button of the printer is pushed for executing a printing function of an application on the computer, the print function of an application is exposed when being executed on the computer system; the predetermined operation like the input of a combination of a specific key executes the printing depending the preset chosen. See Paragraphs 20-21, 25-29 and 37-41).

Hiroshi'149 shows a printing request from the printer that performs printing, when the print button in the printer is pressed printing is performed, it is known in the art that a keyboard sequence can perform printing therefore it would be obvious that causing printing by pressing a print button simulates the same actions a keyboard sequence perform and prints whatever is to be printed therefore its obvious that pressing a print button in the printer simulates a keyboard sequence giving the same output.

Regarding **Claim 11**, Hiroshi'149 shows a printing system wherein the computer system displays a graphical user interface **(GUI)** having one or more windows, each of which is associated with a respective application program, and wherein only one of the windows is a focus window at any given time; and the print control program is configured to determine which application program is associated with the focus window **(i.e., the printer can be set to as soon as the print button of the printer is pressed it prints the active window or document in the active window. See Paragraphs 25-29 and 37-41)**.

Regarding **Claim 14**, Hiroshi'149 shows a printer system wherein multiple documents run simultaneously on at least one application program, each of the documents having an associated window, the print control program being configured to determine which of the multiple documents of the application program, or which application program, is associated with the focus window **(i.e., the printer can be set to when the printing button is pressed it prints what is on the active window as an input where many presets can be done where the active window is described. See Paragraphs 25-41)**.

With regards to method **Claim 17**, the limitation of the claim 17 are corrected by limitation of claim 10 above. The steps of claim 17 read into the function step of claim 10.

Regarding **Claim 18**, Hiroshi'149 shows a printer, wherein the document received from the computer system is a current active document being displayed by the computer system **(i.e., one of the options the printer can be set too is that every time a user presses the print button on the printer the printer automatically prints the demand/active window. See Paragraphs 25)**.

Regarding **Claim 19**, Hiroshi'149 shows a method wherein the interface includes a "print" button, and step of receiving input from the user consists of determining that the "print" button has been pressed **(i.e., print button for printing from printer. See Paragraphs 32-39)**.

Regarding **Claim 20**, Hiroshi'149 shows a method wherein the step of receiving input from the user consists of determining that the "print" button has been pressed a single time **(i.e., the printer can be set to when the printing**

button is pressed it prints what is on the active window as an input. **See
Paragraphs 25-41)**.

Regarding **Claim 21**, Hiroshi'149 shows a method wherein the computer
system display a graphical user interface **(GUI)** having one or more windows, of
which one is a focus window at any given time, the current active document
being that window that is the focus window at the time the print request is
received **(i.e., the printer can be set to when the printing button is pressed it
prints what is on the active window as an input. See Paragraphs 25-41)**.

With regards to method **Claim 23**, the limitation of the claim 23 are
corrected by limitation of claim 11 above. The steps of claim 23 read into the
function step of claim 11.

With regards to method **Claim 27**, the limitation of the claim 27 are
corrected by limitation of claim 14 above. The steps of claim 27 read into the
function step of claim 14.

4. **Claims 12-13 and 25-26** are rejected under 35 U.S.C. 103(a) as being
unpatentable over Hiroshi (JP Publication Number 2002-312149)in view of Vagui
(US Patent Number 6,474,882 B1) and further in view of Sesek et al. (US
Publication Number 2004/0085568 A1).

Regarding **Claim 12**, the combination of Hiroshi'149 and Vagui'882 fails to
show a printer system wherein a record of each of the at least one application
program running on the computer system is stored in a table, the print control
program being configured to perform the determination of which application
program programs is associated with the focus window by consulting the table.

Sesek'568 teaches a printer system wherein a record of each of the at

least one application program running on the computer system is stored in a

table, the print control program being configured to perform the determination of

which application program programs is associated with the focus window by

consulting the table **(i.e., an order list is used to know the order of**

importance of a document/program/GUI. See Paragraphs 11-12 and 32).

Having the system of Hiroshi'149 and Vagui'882 and then given the well-

established teaching of the Sesek'568, it would have been obvious to one having

ordinary skill in the art at the time of the invention was made to modify the

system as suggested by the combination of Hiroshi'149 and Vagui'882 with the

teachings of Sesek'568 by adding that at least one application program running

on the computer system is stored in a table, the print control program being

configured to perform the determination of which application program programs

is associated with the focus window by consulting the table, in order to improve

the system to be a more efficient and accurate in choosing the active window

without printing an error.

Regarding **Claim 13**, the combination of Hiroshi'149, Vagui'882 and

Sesek'568 shows a printer system wherein the table is a Running Object Table

(i.e., an order list **is used to know the order of importance of a**

document/program/GUI. See Paragraphs 11-12 and 32 in reference

Sesek'568).

With regards to method **Claim 25**, the limitation of the claim 25 are corrected by limitation of claim 12 above. The steps of claim 25 read into the function step of claim 12.

With regards to method **Claim 26**, the limitation of the claim 26 are corrected by limitation of claim 13 above. The steps of claim 26 read into the function step of claim 13.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IRIANA CRUZ whose telephone number is (571)270-3246. The examiner can normally be reached on Monday-Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Y. Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/   Iriana Cruz
Supervisory Patent Examiner, Art Unit 2625   Examiner
                                                          Art Unit 2625

April 10, 2010

/I. C./
Examiner, Art Unit 2625